

Docket No. 520.38979CX1
Appln. No. 10/671,608
January 17, 2007

REMARKS

Applicants have amended the first page of the specification to update the status of the prior application of the above-identified application. In view thereof, it is respectfully submitted that Applicants have complied with the requirement in Item 3 on page 2 of the Office Action mailed October 17, 2006.

Applicants are submitting as an Appendix hereto a Substitute Abstract in a single paragraph, and satisfying other requirements in 37 CFR 1.72(b). In view of this Substitute Abstract, it is respectfully submitted that Applicants have complied with the required correction set forth in Item 2 on page 2 of the Office Action mailed October 17, 2006.

The rejection of claims on the grounds of non-statutory obviousness-type double patenting, set forth in Items 6 and 7 on page 3 of the Office Action mailed October 17, 2006, is noted. For overcoming this rejection, enclosed herewith is a Terminal Disclaimer for the above-identified application, with respect to U.S. Patent No. 6,660,647. It is respectfully submitted that this Terminal Disclaimer is in compliance with 37 CFR 1.321(c), including payment of the necessary fee in connection therewith. In view of the filing of this Terminal Disclaimer, it is respectfully submitted that the double patenting rejection has clearly been overcome.

It is respectfully submitted that the enclosed Terminal Disclaimer is being submitted to facilitate proceedings in connection with the above-identified application, so as to achieve earliest possible issuance of a U.S. patent therefrom. The filing of this Terminal Disclaimer does not constitute an admission as to the propriety of, or agreement with, the double-patenting rejection, and does not constitute an admission as to the propriety of, or agreement with arguments made by the Examiner in connection with the double-patenting rejection.

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The Examiner is thanked for the indication of allowance of claims 21 and 22, set forth in Item 8 on page 4 of the Office Action mailed October 17, 2006.

In view of the foregoing comments and amendments, and enclosed Terminal Disclaimer, reconsideration and allowance of all claims presently in the application are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Applicants request any shortage in fees due in connection with the filing of this paper, including any extension of time fees, be charged to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, No. 01-2135 (case 520.38979CX1), and credit any excess payment of fees to such Deposit Account.

Respectfully submitted,

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By



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